

# Teachers and Public Education in Kansas: Election 2014 and Aftermath

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Kansas progressives and public sector employees suffered a damaging setback in 2014 when the Democratic candidate lost the governor's race to incumbent Sam Brownback, who has pursued the nation's most aggressively conservative political agenda. In the weeks before the election, Democrats seemed poised for victory as the large income tax cuts enacted by the Brownback administration steadily reduced revenues, creating a serious threat to Kansas' well-respected public education system. Nevertheless, Brownback prevailed, with 49.9 percent of the vote to 46.1 percent.

Most serious observers count Brownback's policies as failures, since large tax cuts have brought huge budget deficits while failing to generate the promised economic boom or new jobs - in fact, economic performance has lagged the rest of the nation (e.g., Leachman and Mai 2014; Abouhalkah 2015). Nevertheless, Brownback has refused to compromise, and has even intensified his conservative policymaking agenda, holding fast to a radical tax-cutting agenda and introducing a new scheme for funding public education. This report focuses on the political environment and activities of public sector employees, especially teachers, for 2014, and the aftermath of the election. The main sources are interviews conducted in Salina, Topeka, and the Kansas City area in October 2014, just weeks before the election, along with numerous newspaper and magazine articles. The account discusses problems in public sector employment but focuses especially on the angry competition over Kansas' public education system. The final section discusses the puzzle of why Brownback could win despite arguably calamitous economic and educational policies, and several factors, such as seemingly effective mobilization and responsible media reporting, that helped offset the state's strong conservative tendencies. The dispiriting reality for progressives and moderates is that, despite effective modern and effective use of data, they have continued to lose ground to conservatives in the fight for public education.

## Sam Brownback and the Kansas Conservative Surge

Kansas is one of the most politically conservative states in the US. Democrats have not won a statewide or a Congressional seat for several years, and presently hold fewer than a fourth of the seats in the state Legislature. First District Congressman Tim Huelskamp is noted for his insistence on ideological purity and strong criticism of outgoing Speaker of the House John Boehner, but has been ranked dead last among members of Congress for legislative effectiveness (reported by Kabaservice 2015). In contrast to the gridlock induced by conservatives like Huelskamp, however, many governors have enjoyed relatively strong power to implement ambitious new policies, and Brownback's tax-cutting agenda has stood out for its boldness<sup>1)</sup>.

There has been furious debate about the actual impact of Kansas' tax cuts, along with the state's economic condition and the fiscal state of public education. Many of Brownback's supporters, notably out-of-state conservatives such as Rex Sinquefeld (2015), insist that Brownback's policies are driving high job growth. In response to criticisms about the large deficits, some other supporters and even Brownback himself sometimes claim that Kansas lawmakers (Republicans included) cut taxes more deeply than intended by the administration (e.g., Hart 2015; Finley 2014). To the detriment of this argument, however, Brownback proclaimed from the outset that sharp tax cuts would act as "a shot of adrenaline into the heart of the Kansas economy" (Brownback 2012), and has often claimed full ownership of the tax policy, especially the much-derided elimination of taxes on small businesses (Brownback 2014; Kraske 2015).

Kansas' fiscal distress has prompted many conservative politicians and pundits to drastically scale back their ambitions and claims (e.g., Robertson and Gabriel 2015). "Call it the Brownback effect" suggests political reporter Rachel Bade (2014), adding, "Republicans say they learned another lesson from Brownback: Don't overpromise that tax cuts are going to spur job and revenue growth right away — be realistic." Even the conservative editorialists of the Wall Street Journal have sometimes taken time out from lauding

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1) Brownback seeks to eventually eliminate all income taxes, but has raised consumption taxes, increasing the burden on low-income persons (Vinik 2015). The Institute on Taxation and Policy has labeled Kansas' tax policies one of country's ten most inegalitarian states (reported in Cohen, January 13, 2015), though conservatives continue to argue that such policies are effective at generating growth.

Brownback to suggest that his policies indicate that governors need to be prudent in tax cutting (Wall Street Journal, January 29, 2015). Brownback himself occasionally acknowledges that drastic tax reform brings pain as well as reward. "It's like going through surgery. It takes a while to heal and get growing afterwards" (cited in Peters and Paletta 2014).

Public education, threatened by the state's large budget deficits, became the main issue in Kansas' 2014 election. In 2012, at Brownback's urging, Kansas lawmakers enacted sweeping tax cuts that lowered individual income tax rates and eliminated state income taxes altogether on at least 190,000 businesses. More tax cuts were passed the following year. However, the elimination of taxes on small businesses constituted an especially poor decision. Brownback (2014) applauded the initial surge of new business creation, but the data were illusory. Some new businesses were paper entities created purely to take advantage of the new tax breaks, since the scheme creates several excellent options for avoiding taxes (Barro 2014, Shelly 2015). An analyst for Kansas Center for Economic Growth emphasized that any cuts should have been targeted to firms with potential to grow or conduct significant hiring. "We sent stacks of money around Kansas prairie," the analyst lamented, "without knowing if it would stay in the state or not, if it would be helpful or not."

Alyssia Finley (2014), writing for the Wall Street Journal, has trumpeted Brownback's claim to have expanded spending on education: "School funding in Kansas is actually at an all-time high. Total per-pupil spending has increased to \$12,960 from \$12,283 over four years." Indeed, education-spending has increased from \$3.802 billion in fiscal year 2011 to 4.059 billion (a figure cited by Brownback as a record high) for fiscal year 2016, an increase of \$257 million. However, increased portions of the budget were used to bolster the public pension fund and to lower local property taxes, so that classroom- or education-related spending declined even as student numbers increased 6,420 from 2014 to 2015 (Goossen September 16, 2015; October 13, 2015) and costs for inputs such as utilities continued to rise. Furthermore, social conditions are deteriorating. By 2014, 50.3 percent of the state's K-12 students qualified for free or reduced-price school lunches, up from 45.6 percent in 2010 and 32.2 percent in 2000 (Llopis-Jepsen, December 9, 2014). According to the Kansas State Department of Education, the number of homeless children attending Kansas schools has nearly tripled, to over ten thousand, since before the recession (Llopis-Jepsen, December 27, 2014). Such problems mean greater need for counseling, language assistance, subsidized meals, and other services for the educationally

disadvantaged.

Meanwhile, hostility towards public sector unions and even public employees still runs deep among many conservatives, though they usually refrain from expressing it openly. However, in November 2014, as it became clear that Kansas faced another large deficit, House Speaker Ray Merrick put blame on former Governor Kathleen Sibelius and public employees:

“Government employees produce nothing. They’re a net consumer. And you got that cost forever and ever and ever because they’re on the KPERS [Kansas Public Employees Retirement System] plan, they’re on all the government insurance and everything...That is employment to Democrats. Hire more (government employees). And that was Kathleen; she’d brag about her employment number, ‘Oh, I got a lot of people employed.’ Yeah, you got a lot more government employees employed. That doesn’t stimulate the economy.”

However, according to one estimate, the number of state employees (full-time equivalents) fell under Sibelius from 23,000 in 2003 to 22,000 in 2009, and stood at 20,800 in 2013 (cited in Rose 2014).

In addition, critics countered that state legislators themselves partake important benefits. Pension entitlements are generous (Clarkin 2011), perhaps helping compensate for low pay, but other benefits are far more dubious. Kansas has unusually loose rules regarding lobbyists, who spent \$500,000 wining and dining Kansas lawmakers in during the heated budget negotiations in early 2015 (although some Republican legislators emphasized that their votes could never be influenced by free meals) (Lowry, October 3, 2015). Especially questionable are the privileged ties of some Kansas Republican lawmakers to the American Legislative Exchange Council (ALEC). Senate President Susan Wagle served as ALEC national chairperson in 2006, and she and Merrick presently serve on ALEC’s 23-member board of directors. Their high-profile positions are presumably part of ALEC’s efforts to re-brand itself as a bipartisan, state legislator-driven organization (Fischer 2014), since all Board members and officers listed on ALEC’s website are incumbent office-holding politicians. Marketing efforts notwithstanding, ALEC is in reality a driving force behind important corporate initiatives, including the privatization of education. Kansas political analyst H. Edward Flentje (2013) observes that ALEC, by “asserting nonpartisan status, allows Kansas lawmakers to avoid public disclosure of travel expenses picked up by an industry” and evade state laws on disclosing gifts. Kansas also reimburses some of the expenses of attending ALEC meetings (Hancock, December 4, 2014).

## Public Sector and Public Education Troubles

Brownback administration policies have worsened already difficult conditions for public sector workers. Wages have been frozen for several years (apart from a one-time \$250 bonus in 2014) and benefits reduced. Many positions reportedly go unfilled. “A lot of people are retiring just to get the hell out,” one active union member remarked. Although pay is frozen, worker contributions to retirement pension funds increased from 4 percent of pay in 2013 to 6 percent in 2015, as Brownback reduced the state’s contribution (Kansas City Star, January 4, 2015). The Kansas Public Employees Retirement System (KPERS) is one of the most badly underfunded public pension systems in the country, and some Republicans criticized Brownback’s policy, fearing that the pension shortfall would soar again.

Kansas Organization of State Employees (KOSE), jointly run by American Federation of Teachers (AFT) and AFSCME, represents many of the state’s public employees. KOSE has reportedly made modest organizing gains, especially in the state’s notorious prison system, where poor conditions and subsequent understaffing led the state to eased age requirements so that 18-year-olds could be recruited. But union recruiting generally remains difficult. Several occupations, especially science- or technical-related, go unrepresented. Active members observed that Kansas is a right-to-work state, so people can receive union benefits without paying dues. Even some committed union members expressed sympathy for young people who opt out of union membership. One KOSE member stated, “In fact, they are struggling to make ends meet, so the dues are in fact a burden.” Similarly, commented one teacher, “The dues are expensive. A teacher starting out making \$40,000, \$60 a month is, I mean that’s an issue.” In addition, the Brownback administration has been encouraging public employees to give up civil service status in return for pay raises. Union officials and members caution that the raises are not guaranteed, and that further budget problems could leave the employees vulnerable to dismissal (Kansas City Star, August 8, 2015; interviews).

In March 2015, Republicans introduced new legislation that would further restrict public sector bargaining rights and eliminate dues check-off. The bill would limit the items state employees can negotiate in their contracts, and prohibit state employees from filing grievances against their employer. Senate President Wagle claims that individualizing personnel practices will benefit deserving workers. “I think it needs to be more like

the marketplace where you can reward excellent behavior and move people into new positions and give them more work and reward them with greater pay” (Lowry, March 19, 2015).

Deteriorating employment and workplace conditions have brought increased turnover, though the depth of the problem remains unclear (Lawrence Journal World, July 23, 2015; Llopis-Jepsen, September 28, 2014; Robertson, September 19, 2015; Strauss 2015). Employment conditions for teachers have deteriorated since 2008 in much of the US, but Kansas’ budget deficits make matters especially difficult. Pay levels for teachers have fallen to around 43rd in the US (Strauss 2015; Goossen, August 8, 2015). Uncertainty, and fears that pay and job security could continue to suffer, make matters worse. One newly minted female teacher said she wanted to return to Kansas, but turned down a job in Junction City because budget uncertainties meant administrators could not tell her what her pay would be. “It’s definitely sad that I can’t be where family is and it’s angering that this kind of thing is affecting kids,” she told reporters (Zeff 2015). Seeking to place blame for budget problems on schools, the governor criticized one school for spending \$40,000 on a grand piano, unaware that the money came from capital funds designated for such purchases (and unavailable for wages and other operating expenses). To progressives, the criticism simply typified the conservatives’ dismissal of arts, valued by many educators for inspiring students to learn.

Workloads have increased greatly as teachers take on larger classes and greater responsibilities. One veteran union member stated, “There was time in the day to socialize with your fellow teachers, and you don’t see that today. Larger classrooms, larger class size. And the day is for every teacher that I know, they are busy when they walk into the building until the time they leave, and they leave exhausted. And it’s just been over the course of the last 15 years, more and more demands of what the teachers need to do to work with students. And more demands, not only in the classroom but outside the classroom as well....”

Another veteran teacher stated, “School districts are small here. 700 students ... Throw in coaching. Throw in class sponsor, and - and all these extracurricular activities that teachers have to sponsor. They’re putting in long days. Grade papers...KNEA [union] officers...have to find some time to put into that.”

Interviewees put much of the blame on political interference (though without using that term) and some believe that the greatest amount of time is spent trying to apply federal regulations. Politicians sometimes demand new programs such as Celebrate

Constitution Week or Celebrate Freedom Week. “It’s not like we have to do tons of stuff after hours and on the weekends to prepare for Patriot Week, it’s just a BS thing that takes away control of education from educators because somebody thought a kid didn’t know the Constitution or something. But clearly, given the number of unconstitutional bills that our legislature passes maybe it’s a good idea that we have Constitution Week.”

Another educator added, “The biggest fallacy was that No Child Left Behind...everyone was going to be on par by 2014. The biggest fallacy in that was that we were going to have a static group of students from kindergarten to grade 12. That’s not going to happen statistically, even the statisticians said that that was not doable. For us, we have a 30 percent mobility issue, and we’re a fairly stable community.” In one Junction City elementary school, “a teacher had a roster of 20 students - by the end of the year, there was a new group of 20 students. So you don’t know - you do know what their background is, but you don’t know if they’ve learned everything. So that piece about testing and testing and testing, you know if it’s green it’s going to be green tomorrow, what are you going to teach. Especially at the elementary and middle school levels, the amount of testing going on is unbelievable.”

Teachers in Kansas seem to be relatively upbeat about the much derided Common Core program, but are unhappy about the pressure being applied. “They’re demanding results on it before they implement it, essentially. So the assessments have to change... They’re demanding that the assessments be based on them before teachers have even learned what they are. There’s this idea coming from various levels, like, we wrote this, so by tomorrow it should be up and going in the schools and, the tests by the way next week will be based on it. And, by the way, those state assessments that are tied to standards that you haven’t had training on yet. So it’s just a constant - so the complaint about, primarily from teachers, about the implementation, why are you pushing that our evaluations are based on things that we haven’t even had time to digest and read, and learn how to implement....” Similarly, a Topeka-based reporter (Llopis-Jepsen, August 10, 2014) wrote: “Teachers said they believe some of the methods could be beneficial — like setting up differentiated reading workstations for their students — but they didn’t always receive training or time to practice, leaving them struggling to keep up. They didn’t express concerns about the Common Core, which has been controversial among Kansas politicians.”

Some of onerous demands are allegedly made because politicians use teachers or public schools as scapegoats for more complex social problems. “Public education and teachers

are a convenient way to excuse the results of your own policy. So, for example, kids are obese. We have an obesity epidemic, you know why? Because they're not doing [physical education] in schools. It's not because we're feeding them shit, day in and day out..."

" - and having McDonald's put stuff in lunch rooms."

Later, a teacher added, "Obesity, I've done a lot of work around that for KNEA over the years. When I fought against bills that would require every kid in high school to have PE [physical education] every day...[A conservative legislator] came up to me and he said, Why would you oppose this bill of mine, that would just add more teachers, and then you could get more members. And I said, It won't add more teachers. We'll just get rid of all the art teachers and hire more PE teachers...We had a situation where schools were required to put in place wellness programs to [fight] the obesity epidemic. The big school system hires a guy to coordinate this massive Wellness program. And the school gets blasted for wasting money on administration..."

One exasperated official lamented the situation in Olathe, where student enrollment has been growing fast, "So they have all these shiny new schools, but they're shutting down libraries in every one of them. Even though the research indicates to have a strong central information hub like a library which is an information central location more than a traditional library like you thought of it - that doesn't matter. In fact, as the librarians have tried to promote what a good library does, the superintendents in those districts are saying, you will not hang posters touting library services, because it will make us look bad to parents who don't have libraries for example."

## Public Employees and the Political Environment

Progressives and moderates (including a few who had previously voted for Brownback) mobilized energetically for the 2014 election, especially in opposition to Brownback's education and tax policies. Well over 100 moderate Republicans formed a committee to support the Democratic candidate, Paul Davis, in the election against Brownback. However, many teachers in Kansas, as around the country, are unhappy with the Obama Administration's education policies. As a result, despite the fervor for protecting public education, few teachers reportedly cared to campaign for Obama (the fact that he had no chance of winning the state perhaps factored in as well).

Kansas' teachers unions are well placed to support progressives and moderates. Some interviewees emphasized that teachers have especially close knowledge of their



neighborhoods, and often of the aspiring local political candidates as well. However, they also face the obstacles of a generally conservative population and, officials and active members believe, low political awareness among teachers themselves. Younger teachers reportedly know little about earlier struggles. Wichita Teachers Union (WTU) officials estimated (in a 2013 interview) that up to 20 percent of teachers are not registered to vote. Furthermore, the organization rate has fallen off sharply. From 100 percent in the 1970s, the organization rate at the Topeka local of Kansas National Association of Educators (KNEA) has fallen to around 52 percent. In Wichita, it was estimated that about half of 4,000 teachers belong to WTU. Union officials blame both past organizing lapses and Kansas' right-to-work status.

However, weak consciousness of labor rights among teachers is also considered a serious problem. One veteran official elaborated. "Out in the field, what I noticed was that the active people were all the more mature staff, and the older teachers. [As another interviewee] said, the younger ones have taken for granted what the older ones have done for them. And the older ones have done it for so long, that - as long as they're here to do it, they're the ones that're gonna be stuck doing it. And until something bad happens, that catapults them into realizing that...they have to make things the way they want them to be, they can't keep relying on the past to get them the things that they're currently, you know, used to having. And I think that's the hardest thing, it was the hardest thing out in the Uniserve office [a local KNEA office], trying to get interest from the younger teachers. And you know, you just kept watching the doers retire, until - what's gonna happen. ... I think it's going to take them losing something very important for them to realize they need to fight just like we in the past - people fought for those things. And they take that for granted." One active union member echoed past interview statements in agreeing that teachers tend to be non-political because of their nature. "Teachers tend to be nice. We don't want to upset people...That's why its important to have a union - because we're nice."

Some new players have mobilized to contest conservative policies. Game On for Kansas Schools has established a strong reputation for its campaign in support of public education (as explained in a previous report). The group has proven highly effective at raising awareness, backing pro-public education politicians, and mobilizing people (especially parents) to conduct political action. Its reports help cut through the contentious tangle of legal and financial data related to Kansas education politics.

In addition, several Johnson County teachers organized PEAK (Johnson County

Educators PAC) in 2013 to conduct vigorous political action in defense of public education. (PEAK and Game On members are well known to each other and sometimes work together.) Four members explained their approach and activities in a group interview. “We lobby, we interview and recommend candidates, we campaign for candidates, we organize activities to support their campaigns...we broke away from our local, but still have a strong relationship with the state [KNEA].” Any interested citizen is encouraged to join, although most members are still primarily teachers. “It’s about saving public education. Not just saving the union. The issue has gotten so large, that we really need all hands on deck. So we wanted to bring in as many people as we could.” The members emphasized efficiency in activities and strategies. “We have limited time. We have to focus our time where we can...We’ve become very surgical. You have to be strategic. You have to look at these races. ... If it’s not a viable candidate, sorry, we’re not going to do anything.”

Teachers in general believe that they are still respected and valued by their communities, and enhanced engagement with parents and communities is an important objective. KNEA has also been planning new community engagement programs. A campaign called Join Us, for example, will seek to work with communities to promote public health and quality public schools in Kansas. The program includes some initiatives for breakfast in the classrooms since research shows that ensuring good meals is a means to improving educational performance.

A KNEA official stated, “We are very much engaged with parents. Particularly in Johnson County, the most populated areas of the state. We’re very much engaged with parents groups that have grown up, sprouted up as schools have been challenged and had their funding cut. We work very closely with them. They come to us for advice. They come to us for support, in whatever they’re doing.”

Conservatives may have had some success in damaging the image of unions, and perhaps the image of public teachers as well. One official stated that opponents have “done a great job of inventing narratives...to make KNEA a toxic brand in the state...The evidence is that is, it’s not just in terms of how people perceive KNEA externally, but even our members. We have anecdotes from our field staff where members are afraid to show their union colors for example. Those kinds of considerations are things that we take into account all the time. There’s a real but abstract connection between the work that this organization does and the positive outcomes for students in the classroom. But that abstraction is something that teachers know, and members know, we push for

policy, we push for professional development activities....”

Interviewees believe that most Kansans are not anti-union. “I don’t think that Kansans are anti-union at all - they don’t pay very much attention to unions period.” However, “as the extreme right in the Republican Party became ascendant, they’ve worked to demonize unions as the enemy...They have consciously branded unions and public sector unions in particular as the problem. Any problem you have, it can be tied somehow back to unions. But prior to that, I don’t think people paid attention to unions at all...” Brownback apparently sees no benefit in criticizing unions, and sometimes takes pains to praise public employees, though many doubt his sincerity. Nevertheless, overt bashing of unions or public employees does not seem to be an effective vote-getting strategy in Kansas.

Although confident that communities still respect teachers, the PEAK teachers regard teacher-bashing as a major problem. “It’s a problem because it’s a very vocal minority who’s really good at speaking loudly and having a big voice - and having powerful friends...But here’s what ends up happening though. People in this area really like their child’s teacher. They have a really favorable opinion of their school. They’re happy with their school, with their child’s teacher.”

Other teachers followed up. “But then they listen to this loud minority, and they think, Well it must be different over there. It must be different next door.”

- “But it’s also a huge morale basher. It really brings down morale for teachers. I think just personally, this teacher bashing is really bad for my morale as a teacher...It’s disheartening. It really is.”

- “Especially when we’re working harder than we have ever worked.”

- “Class size is increasing. And we haven’t had a pay increase. Pay cuts when you take into account -”

“ - That you have decades of experience. But yet, we’re called ineffective, and union thugs. You heard the name that they called us (during the April 2014 showdown at the Capitol, described below) - we got called union thugs, and then Redcoats, and then trolls...”

Similarly, one veteran of 35 years teaching (28 in Kansas) told a newspaper reporter (Robertson, September 19, 2015), “I knew I would not get rich, but I never thought I would be under attack.” She described the legislative and judicial war over school funding as “terrible.” “But I love my job. I love what I’m doing and I’m going to do it. That’s not going to change.”

PEAK members explained that they are effective political participants because teachers are respected, and because the members make themselves reliably available. “Candidates like to have us go out and walk with them. Even though all this negative stuff has come out, people still really do like teachers, and they still respect us.” PEAK was registered as a PAC because members expected to have more money. “But our strength isn’t money, but showing up.” “Candidates know they can count on us. When they need something, they can call and say, Hey, we need walkers to go door-to-door, we need somebody to call...” One former state legislator from Western Kansas claimed in an earlier interview that teachers union members often failed to conduct basic election activities, sometimes as promised, so claims to reliability are significant.

PEAK members also commented, “In this community, education is still highly valued.”

“When we go door-to-door and knock on - even when they don’t agree with us, they don’t - they’re very polite.” “We get thrown off very few doorsteps.”

Another veteran teacher described the basic approach for approaching citizens at their homes as follows. “Hi, I’m a teacher. I’m out walking for candidate X. And this is (whoever), a pro-education candidate that I’m endorsing. As a teacher.”

A KNEA official similarly emphasized the importance of respect for teachers. “If I start with ‘I’m a teacher,’ the door stays open. If I don’t start with ‘I’m a teacher,’ the door may or may not stay open.”

PEAK teachers emphasized the importance of clarifying that they support *public* education. “And I’ve had several people who like, So YOU are a teacher. They want to be very clear, because one of the tactics that the Tea Party is taking is saying, saying they’re the pro-education candidate. When they realize how important education is to Kansans. They started saying they’re the pro-education candidate, even though they’re not endorsed by any educational organization.” Another teacher added, “They’re [Conservatives] for charter schools education. Private school education, not public...So that’s why when you knock on doors and they say (to clarify) you are a public school teacher.”

“When we do our phone banking, we say, The teachers in the Blank School district are supporting Candidate X. [We clarify s/he] is a pro-PUBLIC education candidate.”

Although the respect enjoyed by teachers can make them effective political activists, they are also in a delicate position. One PEAK member stated, “Another problem, we’re vulnerable as teachers. We’re public employees. There are a lot of people around here who don’t like their public employees, their teachers having political voices...We have parents who - who might be offended, they might not share the political views we do, so we

try really hard to keep our political advocacy kind of quite. Like I would never publicize it to the parents of my students.” Another followed up, “We don’t talk about it at school. Not on school property.”

## April 2014

In March 2014, the ongoing legal/political battle entered a new stage when the Supreme Court handed down a unanimous ruling affirming that unconstitutional inequities existed between wealthy and poor districts, and ordered a remedy be instituted by July 1. Instead of restoring funding, conservatives took aggressive action to overhaul the education system and restrict teacher rights, triggering a brief but angry confrontation at the Capitol over the first weekend of April. On a late night, conservatives introduced a package of laws to restrict teacher union rights, to introduce tax breaks and deregulatory measures supporting private education, and, in response to the Supreme Court ruling, to restructure public education financing. Public education supporters had hoped it would bring about a “clean restoration” of school funding. Instead, conservatives demanded change in the financing formula along with measures to weaken public teacher rights (Carpenter 2014). The inclusion of clauses rolling back job protection was unexpected. One teacher who participated in the Capitol showdown explained, “Some people have referred to it as Pearl Harbor for teachers. It was a surprise attack. Things had been brewing for a while, things weren’t comfortable for a while - but this was a huge surprise attack.”

KNEA happened to be conducting a statewide convention at its offices near the Capitol that weekend, as a union official explained. “Then they [conservatives] decided on that April weekend, when nobody was watching, when the governor was out of town...We happened to be in town and crashed their little party. There was no conscious effort. It was the confluence of luck and opportunity...” Since streaming video of senators adding clauses to the bill to eliminate due process rights could be readily viewed, union members and officials knew what was happening, and the convention was suspended to allow teachers to participate in the legislative process at the Capitol. One KNEA member stated, “[The Senate] started adding in these elements on teacher due process and taking it away. We started hearing in the middle of the night, There were these bad teachers that Kansas children needed to be protected from. They started relating these outrageous stories about pedophile teachers in Wichita that school districts could not fire. So

we heard this, an outrage ensued....So by Saturday morning when the convention was starting, people had worked themselves up and it looked like the House - the House passed a clean bill on Friday night - just for funding, none of those add-ons.”

Teachers at the Capitol used social media to bring in more teachers and supporters. Some were using it seriously for the first time. One noted, “I’d had a Twitter account for years, but [was] never active. During this I started tweeting from the gallery. A lot of teachers did.” “People in Los Angeles, it’s weird, your reach becomes greater than you thought.”

Another teacher explained, “What was so interesting is, how many people stayed so late into the night.... What I thought was just remarkable, was first of all, they thought they could out-wait us, but we are naturally patient people. So it’s like, If you have ever tried to out-wait a 7th grade boy (interview participants laugh) - you will never out-wait me.... What I thought was so remarkable was how respectful and strong these teachers were the whole day.... Because when we would disagree, we would just silently - we knew that if we were rowdy and made noise and heckled, they were going to just shut us all out.”

Teachers were also angered by what the conservatives’ attitude. “I was struck by the representatives who stood up in front of everybody in the world, gave misinformation. We had a representative who said Kansas spends more money on education than any other state in the nation, and yet, I remember vividly, he goes they have the lowest scores in the entire nation.”

“...It amazed me that no one corrected their colleagues. It was almost like they wanted him to stand up and say this.”

Some teachers emphasized that they were more respectful of democratic practice than the conservatives. On Sunday morning “when they gaveled into session, they always start with the Pledge of Allegiance and a prayer. And usually during the Pledge of Allegiance, in the Kansas legislature, the people in the gallery are mostly statehouse reporters. There aren’t a lot of spectators normally, and so during the Pledge of Allegiance they [politicians] don’t pay any attention. They’re busy on their computers or whatever. Well, the gallery was packed full of school teachers, and there’s one thing we all know, it’s the POA because we say it every morning. And so everyone stood up to say the Pledge of Allegiance. I’ve heard that staffers who’ve worked in the legislature for years, were visibly moved. They just couldn’t believe - here were hundreds of people standing up and saying the Pledge of Allegiance when usually most people - Even the elected

officials usually kind of stand there.” “But I think what was so moving too was that this was truly democracy in practice.”

Ultimately, the Senate voted 22-16 to approve a compromise brokered by House and Senate negotiators, setting up the second late-night vote on Sunday. The House concurred 63-57. The decision was made bypassing normal legislative processes, and opponents condemned the secretiveness. As Democratic Senator Tom Holland put it, “Middle of the night. No constituent feedback. We need to ram it home for special interests” (Carpenter 2014). The bill repealed employment due process procedures for 36,600 public school classroom teachers, librarians, and counselors. “There’s no reason for tenure,” said Republican Representative Allan Rothlisberg. “The years I spent in the military, if you didn’t produce, if you didn’t meet standards, you were gone. There is no reason to have any protected class in this state or in this country” (Carpenter 2014).

One amendment in the legislation removed due process for educators, and another established tax credits of up to \$10 million for corporations that make donations to scholarships for religious and unaccredited private schools. At least three potentially important proposals were overshadowed and eventually abandoned. One, to provide property tax breaks to parents educating children in private or home schools, was abandoned. A second was a recommendation by Brownback to earmark \$16 million to bolster funding all-day kindergarten classes. In addition, an amendment blocking state funding of Common Core curriculum standards was dropped.

Brownback defended the legislation when signing it at end April. He added, “The education bill provided \$129 million in funding to classrooms and for property tax relief, it provided additional pay for ‘master teachers,’ and it returned local control to school districts. This is a good bill that benefits Kansas children. I hope KNEA will take no action that threatens funding for our schools and the welfare of our students” (Rothschild, June 9, 2014). In fact, the \$129 million was slated primarily for property tax relief, and little if any of the money would reach classrooms. Brownback downplayed the due process issue, claiming that it would strengthen local control over teaching personnel. It was true that due process had not been abolished per se, but it had become harder to exercise, and few believed that conservatives restricted it simply to enhance local control.

## Election 2014

Many progressives believed that the April legislation would backfire on Republicans,

partly by raising general public awareness of the conservatives' anti-public education agenda. Pickets who tracked Brownback around the state began drawing attention soon after the legislation passed the Assembly (Rothschild, April 23, 2014). One KNEA official stated, "The news coverage when he goes out is not about what he's saying, it's about how many picketers there are..."

Probably much more important, many teachers were stimulated to act politically. "It was hard to get teachers involved. It's much easier to get teachers involved after the April rally at the capitol. And the attacks have continued to happen since April. You call and ask someone, Will you do something, the answer is Yes."

"Prior to the April rally and the attacks that have happened since then, the signing of House Bill 2506, any teachers that had that view before now say [that] they finally saw the light, I have to be involved. Now I'm not saying each and every teacher. But a much larger number of teachers is willing to step to do something."

"We have more door-knockers than we've every had before."

One official who had served in Kansas for over a decade stated, "It used to take me literally hours to get people out for candidates. Literally, hours and hours and hours on the phone to get very few people. Now I'm on the phone a much much shorter period of time....instead of me calling all these individuals, now it's - I call these people, and they call those people, and we get it done quicker. So we've built something that continues to build and organize and develop."

The April showdown energized new opposition, especially among teachers. One teacher stated, "It was a wake-up call, and it did wake up the group that was eager to be, primed to be motivated. The other thing, the number of teachers who had been oblivious." "Oblivious before, and they still are." A later comment was, "I think on the week after, I got a lot of questions from teachers I know who hadn't been politically aware about it, like you know, we'll go on."

Progressives have often worked with moderate Republicans in Kansas over the past two decades, and the budget-cutting policies of conservatives have pushed the interaction further<sup>2)</sup>. Many progressives now emphasize support for public education over party af-

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2) It is often observed that Kansas features not two parties so much as three - Democrats, Republican moderates, and Republican conservatives - and that the Republican moderates are often more closely aligned with Democrats than with Republican conservatives. In the bitter 2012 primary election, an aggressive conservative campaign, backed by Brownback, pushed around eight "moderate" Republicans (most of them quite conservative by conventional standards) out ↗



filiation. One PEAK activist explained, "...I really feel like, in April, when House Bill 2406 - it really came down to, at least in my mind, you stand with us now, I'll stand with you during campaign season. Some of those candidates that stood - some of those representatives that stood there and fought for us, and I could see how hard it was for them to fight for us. And stayed up until 2 in the morning with us. And some of the other people who've really - when it was very difficult and very unpopular - very scary for them to stand with us, and did it anyway. I am willing to commit. (Author: Why was it so difficult?) Just the amount of political pressure that - " "Huge political pressure." "Not the Democrats. But the moderate Republicans." "The moderate Republicans who stood with us. It was very difficult for them. And they were all primaried because of it by Tea Party types." "...the ones that voted against the bill, they've been ostracized basically by the Republican..." "They were kind of ostracized to begin with..."

Some Democrats and active unionists freely back moderates, especially in races where Democrats cannot win; commitment to public education was an especially important factor in 2014. PEAK activists observed that in 2012 they "made a concerted effort to get teachers to register as Republicans since we have closed primaries". One interviewee had changed her registration to Republican. However, some KNEA officials have disagreed. "That was one of the things that started getting us in spats with local leadership, offended that we were encouraging people to switch party registration." The PEAK members' response was, "you have to be strategic, smart." Another interviewee later added, "We'd rather have an effective Republican than an ineffective Republican." A similar observation: "I've seen voting lists where some of the progressive Republicans are more progressive than the Democrats. It irritates a lot of the Democrats, why don't they switch party and become Democrats."

Since the three-way political split engenders confusion or distortion of political stances and incentives, PEAK calibrates strategies accordingly. "In many districts, Democrats don't want to run against moderates, think they have a better chance against conservatives. Stronger distinction between themselves and conservatives. But they would lose. So, [to protect] education, we have to hedge our bets."

In July, KNEA's political action committee announced that it would back 30 Republi-

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of the Senate to be replaced by conservatives. That gave control of the Senate to conservatives committed to Brownback's tax-cutting agenda, setting the stage for the income tax reductions that have undermined state finances and threatened public education.

cans along with 73 Democrats in the August 5 primary (Lowry, July 15, 2014). The union's endorsements are based on interviews between candidates and teachers, and the stances of politicians during the April showdown became one of the most important criteria. KNEA officials believe that progressive political action was effective in helping moderates most realistically winnable contests during the primaries, and in rolling back conservatives slightly. This reflected lessons learned in the 2012 primary elections.

### The Aftermath

The outcome could be viewed as disastrous by progressives, and many moderates as well. Within days of the vote, it was announced that tax revenues would, once again, fall far below official forecasts. With K-12 accounting for about half the state's budget and the university system another 12 percent, public education was once more vulnerable. In the ongoing legal education battle, three district judges ruled in December that the state needed to spend at least \$548 million more to meet Constitutional obligations to fund education.

Brownback, remaining on the offensive, used the District court ruling to push the conservative agenda, especially a repeal of Kansas' school-finance formula. His State of the State message called for stronger family values and escape from government dependency along with three more concrete policy proposals: overhauling state education funding, changing the selection process for Kansas Supreme Court justices, and moving city elections to the fall. As journalists commented, "The school, election and court policy shifts have long been part of the conservative wish list for reforming state government into a smaller and less costly package" (Lefler and Lowry 2015). Rejecting the usual understanding that tax cuts had caused the deficit and that state spending on public education had been reduced, Brownback stated, "A majority of the projected shortfall we face is due to increases in K-12 spending since Fiscal Year 2014." Calling for "a timeout in the school finance wars" he intoned that policy "should reflect real-world costs and put dollars in classrooms with real students, not in bureaucracy and buildings and gimmicks" (Lefler and Lowry 2015). The need to shift education-related spending from wasteful administration to productive classroom use had just become part of the conservative Kansas mantra. Brownback also promised that he would continue reducing income taxes, moving toward total elimination, while pressing other conservative themes, including opposing abortion and requiring welfare recipients to work. Ultimately, even with spending cuts,

conservatives were forced to enact a large tax increase to cover deficits in an embarrassing marathon 114-day session. However, the income tax reductions remained.

At end January, Brownback delivered a speech calling for linking student performance to school funding, indicating that conservatives will make performance a criteria in the school funding scheme they are expected to propose in two years, in 2017. "Let's spend that two years writing a finance formula that gets money to the classroom, and I'd like it to have some incentives tied with performance. Are the kids reading at the fourth-grade level when they get to fourth grade? When you leave high school, are you either ready to go to college or go to work?" He added, "I'd rather you'd be both, ready to do both, but are you? And we want to pay that you will be, and if you're not, then you should be penalized for it because that's what you're supposed to get done." (citations from Lefler 2015).

State courts have ruled that Kansas' constitution requires provisioning of funds to equalize educational opportunity in poorer school districts, but Brownback attacked the funding formula. "It's all based on number of pupils, and then if you move children long distances, if you've got a high-density school, if you've got a low-density school, if you've got a this, if you've got a that, you've got all these weightings that each child is worth then 1.2, 1.5 (times the regular base funding), but nothing that's tied to performance" (Lefler 2015). Senator Anthony Hensley, the House Minority Leader, argued that rewarding high-performing school districts, which tend to be higher-income, would unfairly handicap schools serving large numbers of low-income and other likely disadvantaged students. Even Dave Trabert, president of the Kansas Policy Institute, a high-profile champion of conservative and free market policymaking, expressed reservations about closely linking funding to student performance.

Public education supporters continue to believe that Brownback and conservatives have misused data. Game On for Kansas Schools, in a posting on January 17, 2015, summed up criticisms. "Let us be blunt. This governor and our legislative leadership have no intention of complying with any court order to increase school funding. The proposal to change the [school funding] formula is a ploy to avoid the court's decision. It will take time to figure out how funding is being reduced and re-litigate it. In the meantime, we will see efforts to change judicial selection and lower the retirement age of judges (a bill has already been introduced) so that the courts can be stacked with those passing a litmus test on school funding. In the meantime, those of us whose children's early elementary years occurred during the recession and experienced those cuts will

watch our children enter or graduate from high school with insufficient support from our state, despite multiple court orders to rectify the situation. We'll also see legislation to divert more funding to charters and private schools..."

In early February, facing projected budget deficits of \$344 million for the fiscal year through June 30, 2015, and a \$600 million deficit for the following year, Brownback announced \$44.5 million in education funding cuts, cutting 1.5 percent from K-12, and 2 percent from higher education<sup>3)</sup>. The latter represented a key reversal for Brownback, who in 2013 had traveled the state campaigning to protect university funding against conservative lawmakers demanding reductions. When Brownback was charged with hypocrisy for claiming to support education, his spokesperson responded, "Gov. Brownback has consistently maintained that the education funding formula is broken and reform is needed to ensure more money goes to the classroom to benefit Kansas students" (Cooper 2015).

While Brownback insists that he favors increased spending on public education, other conservatives argue that further reductions are needed. Republican Senator Jeff Melcher stated, "Education seems to be the only thing that is becoming less efficient as we put more money into it and as technology advances. We should be seeing the ability to educate on less money as we adopt technological advances" (Cooper 2015). Wagle claimed that the budget problems were forcing lawmakers to make needed reforms. "A crisis is an opportunity. We have three cost drivers that are really killing our budget. One is K-12 formula. One is the KPERS (state pension system) debt. And the other is increases in Medicaid. And I believe he [Brownback] wants to structurally address those issues in his second term" (Lefler and Lowry 2015). Mike O'Neal, former speaker of the House and currently president of the Kansas Chamber of Commerce, which enjoys close support from the Koch brothers, voiced support for Brownback's policies, and called for introducing competition into the public school budgeting system. "I don't want to set up any schools for failure, but we need to change the mentality of, if they don't get good results, 'well it was probably because we didn't get enough money,'" O'Neal said (Washington Times 2015). These stances implicitly denied the common progressive belief that rising levels of poverty or growing ranks of non-native English speaking students demand greater resources. Furthermore, some Kansans worried that budget cuts, and even the new funding means, would undermine economies in rural areas, where a school is often the larg-

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3) Higher education funding in Kansas fell an estimated 23 percent per full-time student from 2008 to 2014 according to the nonpartisan Center on Budget and Policy Priorities (2015).

est employer (Woods 2015).

Brownback was more in harmony with other conservatives when he accused school districts of holding excess reserve funds. “The dramatic increase in state education funding that has occurred over the last four years is unsustainable,” Brownback said. “School districts are estimated to have approximately \$381 million in reserve fund balances to help them offset the smaller than expected increase in state funding. The Kansas Department of Education should work with school districts to help them with any cash flow challenges that may arise” (Lowry, February 5, 2015). Kansas Policy Institute President Trabert agreed. “When they got more money than they needed, they put that money in the bank. Now it’s time to use that money to educate kids” (Robertson, February 11, 2015). However, critics pointed out that conservatives were contradicting themselves since the sharp fluctuation in state funding had made the reserve funds especially vital (e.g., *Game On for Kansas Schools* 2015).

Since a new school funding formula will take time to prepare, the administration adopted as an interim measure a block grant formula to be used through 2017. Brownback originally proposed the idea of block grants during his January State of the State address, claiming they would end acrimony over school funding, but critics countered they served partly to mask insufficient revenue. That block grants were backed by the Kansas Chamber of Commerce and Americans for Prosperity, organizations tied to the Kochs, hardly legitimated them to progressives. The administration, obviously aware that the block grant bill had little support outside conservative circles, signed the bill in near secrecy, behind closed doors with almost no advance notice (Lowry, March 25, 2015).

The block grant scheme effectively freezes funding for two years. Moody’s and other debt rating agencies, judging that financing would be inadequate faced with rising enrollments, responded by issuing “credit negative” warnings for Kansas public schools (Lefler, October 2, 2015). In the meantime, school supervisors who believe their schools need additional funding to meet additional expenses, such as substantial increases in student numbers, must apply to the state for emergency funding. However, the guidelines were never clarified, and all districts that applied for extra funding under the block grant scheme in 2015 were either rejected or received only portions of their requests (Kansas City Star, August 25, 2015).

The administration has also moved steadily to advance charter schools and other private education initiatives. One move in this direction is an innovative schools bill (ISB)

that allows school districts to apply for innovative school status to exempt themselves from rules governing public schools, especially regulations on employing only licensed teachers.

In September 2015, Brownback stated his desire to establish a new formula for funding public education that would shift money into classroom instruction, and to encourage merit pay for teachers. Rejecting arguments from numerous school districts, he argued that too much state funding is diverted into administrative overhead instead of classroom teaching. “I want more money going to teachers. I’m for merit pay,” stated Brownback in an interview (Hanna 2015). “So you really try to incent paying really good teachers, pay them more. Let’s incent the classroom.” Reiterating his stance that general education funding is adequate, Brownback added, “What you need is more money in the classroom.”

### Discussion: Kansas’ Political Puzzle

A key puzzle is how Brownback could win the election despite the budgetary disaster and a looming education crisis. Part of the reason is undoubtedly the obfuscation of issues, as Brownback has consistently claimed to have spurred job creation and increased spending on public education, despite problems such as early school closings in 2015, and steady reports of budget cuts and property tax rises from around the state for the past two years. Recently, Brownback notably claimed, incorrectly, that teachers are better paid in Kansas than Missouri (Kansas City Star, September 1, 2015) - actually, at least one Missouri school district has attempted to capitalize on falling pay in the Sunflower state by poaching Kansas educators.

Evidence of a major budget breakdown and sharply reduced classroom spending notwithstanding, Brownback and Lieutenant Governor Jeff Colyer lauded their policies for having increased education spending (“Our education message started breaking through that we have put a lot of money into education. Record amounts,” according to Brownback), and for generating growth, claiming that they had made Kansas a leader in small business growth. The governor repeatedly stated during the election campaign that further spending cuts would not be needed, and that 100,000 jobs would be created in four years (in fact, job growth in the year since has been marginal).

Public education reportedly worked well as a core issue for Kathleen Sebelius, the last Democratic governor, in her 2002 and 2006 campaigns. The Davis campaign similarly

focused on education funding, but some later criticized the strategy. One observer noted that the strategy would bound to be ineffective in some areas; in Dodge City, for example, the school district had distributed iPads to every student. In addition, some observers supporters believe that the campaign neglected issues, such as Brownback's tax cuts, important to the party's base.

While a decline in serious journalism is sometimes cited for the nation's political woes, most of my interviewees praised the print media. One noted that some journalists in major newspapers consistently checked and often rebuffed figures produced by the Brownback administration. Officials in the Kansas National Association of Educators (KNEA) observed that editorials from newspapers around the state routinely criticized administration tax and education policies. "Hutchinson News and Scott City Tribune writing the editorials they have, that says something....the editorials were good themselves, but where they came from is even more striking. Those are two communities over the years, very very conservative - fiscally conservative, not necessarily socially conservative." That so many papers around a conservative state criticized the administration made it difficult for conservatives to claim liberal media bias.

Presumably strong print media coverage notwithstanding, one important reason for Brownback's mildly surprising triumph could be the failure of some conservatives to see a connection between tax cuts and services. A Kansas Center for Economic Growth analyst who travels the state stated, "As we've talked to community leaders, they all say we want to make sure neighborhoods are safe, that schools have the resources. That we have revenue to build parks and roads. What makes us great as state, local community - they talk about QOL [quality of life] issues.... Fundamentally at the local level, it's understood. When you ask people why they came to Kansas, they mention schools. No one talks about income tax cuts....At the local level, people are saying, I don't feel better. My property taxes are going up."

Another problem is that dedicated public service providers often fill gaps when funding declines, so that the solution can become part of a longer term problem. When teachers and other public service providers pick up slack, the community is less likely to comprehend the depth of the problems. Asked about the problems of larger classes and heavier workloads, a veteran union member stated, "Parents are not aware. Because teachers are unfortunately - well, I don't say 'unfortunately' but - teachers step up to the plate and do what they need to do to meet the needs of the kids in their classrooms. And that's what's happened with the budget cuts. Schools have stepped up to the plate. And even

though we've put one or two more students here every year, pretty soon you have a class that's busting at the seams. And that's what we're seeing across the state. In general, larger class sizes, greater workloads." Tammie Hall, a principal at Southeast Elementary in Kansas' USD 247, explained how the district deals with budget problems (Woods 2015). "Let's just say maybe a staff member might have an hour here or there, they might now become doing lunch duty, library aide. You just have to get more creative to save those dollars." Similarly, an autism behavior specialist from Hocker Grove Middle School (interviewed by Robertson, September 19, 2015) pays for many basic materials from her own pocket, but says, "I remember so many teachers who made an impact on my life. It means so much to me. Throw whatever you want at me, I'm not leaving."

Unfortunately, the major damage likely lies in the future, and will impact the most vulnerable hardest. Constant battles over school funding and employee rights may discourage young applicants, and will probably make it ever harder for rural districts to recruit teachers in particular areas like math, science, and vocational and specialized courses. Special education already presents great difficulty. As one Kansas educator cited by Robertson (September 19, 2015) stated, "the number of teachers is not dwindling, because a teacher is a hearty soul. But eventually you run into the law of diminishing returns. There is going to be long-term impacts...I don't think you'd ever see a rush for the borders, but you will get more teachers who say, 'I don't know how many more years I can do this.'"

## Conclusion

Kansas demonstrates both the potential political impact and obvious limitations of teachers and teachers unions, along with the divisive effects of many educational policies being conducted in many states in the United States. A significant number of activist teachers and parents have mobilized, apparently to considerable effect, and even, in the case of Game On for Kansas Schools, to achieve some national recognition. Interviewees suggested that effective media reports and traditional support for public education and teachers helped offset the state's powerful conservative tendencies. Nevertheless, despite large budget deficits, sharply reduced classroom spending, and reports that even conservatives had grown wary of the Kansas experiment, Sam Brownback won re-election in 2014 and has proceeded to double down on a risky policymaking agenda.



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